THE CONSTITUTION (SEVENTY-SIXTH AMENDMENT) BILL, 1992

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI K. VIJAYA BHASKARA REDDY): The Constitution (Seventy-sixth Amendment) Bill, 1992 provides for inclusion of elected members of Legislative Assemblies of Pondicherry and Delhi in the electoral college for the election of the President of India. This Bill was introduced in the Rajya Sabha as the Constitution (Seventy-sixth Amendment) Bill, 1992 as some other Constitution Amendment Bills had been introduced in either House of Parliament and are pending consideration by Parliament. When this Bill was passed by the Rajya Sabha on the 29th April, 1992 the Rajya Sabha amended the short-title of the Bill as "The Constitution (Seventy-first Amendment) Bill, 1992".

On the 7th May, 1992, when the Bill was passed by the Lok Sabha the short-title of the Bill was amended by the Lok Sabha as "the Constitution (Seventieth Amendment) Bill, 1992" because the earlier Bill *i.e.* The Constitution (Seventieth Amendment) Bill, 1992 which deals with provisions relating to Delimitation of Constituencies) was referred to a Select Committee of the Lok Sabha.

Now, the Bill as passed by the Lok Sabha on the 7th May, 1992 is returned to Rajya Sabha for its concurrence as per Rules 121, 156 and 157 of the Rules of Procedure and Conduct of Business is Lok Sabha.

Though the short-title of the Bill has first been amended by the Rajya Sabha, then by the Lok Sabha and again by Rajya Sabha (*i.e.* by concurrence), the long title of the Bill still retains the numbering given to the Bill at the time of intruduction of the Bill in Rajya Sabha. Appropriate changes will be made in the long title of the Bill only after the completion of other procedural formalities.

Madam, I move:

That the following amendment made by the Lok Sabha in the Constitution (Seventy-sixth Amendment) Bill, 1992, be taken into consideration, namely:—

Clause—1

Page 1, line 3,—

For "Seventy-first" *substitute* "Seventieth"

THE DEPUTY CHAIRMAN: Motion moved. Now I will straightway put the motion to vote. Under Article 368 of the Constitution the Motion will have to be adopted by a majority of the total Membership of the House and by a majority of not less than two thirds of the Members of the House present and voting.

THE DEPUTY CHAIRMAN: I shall now put the amendment to vote. The question is:

That the following amendment made by the Lok Sabha in the Constitution (Seventy-sixth Amendment) Bill, 1992, be taken into consideration, namely:—

Clause 1

Page 1, line 3,—

For "Seventy-first" *Substitute* "Seventieth"

The House divided.

THE DEPUTY CHAIRMAN: Ayes—152. Noes— NIL

AYES—152

Abrar Ahmed, Dr.
Agarwal, Shri Lakkhiram
Agarwal, Shri Ramdas
Ahluwalia, Shri S. S.
Alia, Kumari
Antony, Shri A. K.

Anrora, Sardar Jagjit Singh
Azad, Shri Ghulam Nabi
Azmi, Maulana Obaidullah Khan
Baby, Shri M. A.
Bagrodia, Shri Santosh
Bakht, Shri Sikander
Balaram, Shri N. E.
Balbir Singh, Shri
Balu, Shri T. R.
Barosgpa, Shri Sushil
Basu Ray, Shri Sunil
Bekal Utsahi, Shri
Bhandare, Shri Murlidhar Chandrakant
Bhardwaj, Shri Hansraj
Bhatia, Shri Madan
Bhatt, Shri Jitendrabhai Labhshanker
Birla, Shri Krishna Kumar
Buragohain, Shri Bhadreswar
Chanpuria, Shri Shivprasad
Chavan, Shri S. B.
Chowdhary Ram Sewak
Chowdhri, Shri A. S.
Chowdhry Hari Singh
Das Gupta, Shri Gurudas
Dave, Shri Anantray Devshanker
Desai, Shri Jagesh
Dhawan, Shri R. K.
Dronamraju, Shri Satyanarayana
Faguni Ram, Dr.
Fernandes, Shri John F.
Gandhi, Shri Raj Mohan
Ganesan, Shri Misa R.
Gautam, Shri, Sangh Priya
Ghosh, Shri Dipen
Ghufran Azam, Shri
Gurupadaswamy, Shri M. S.
Hanspal, Shri Harvendra Singh
Hanumanthappa, Shri H.
Hariprasad, Shri B. K.
Hashim, Shri M. M.
Hashmi, Shri Shamim
Hiphei, Shri
Iqbal Singh, Shri
Jacob, Shri M. M.
Jadhav, Shri Vithalrao Madhavrao
Jagir Singh, Shri
Jagmohan, Shri
Jaiswal, Shri Anant Ram
Jayadevappa, Shri K. R.
Jogi, Shri Ajit P. K.
Kailashpati, Shrimati
Kaldate, Dr. Bapu
Kalita, Shri Bhubaneswar
Kalmadi, Shri Suresh
Kesri, Shri Sitaram
Khatun, Kumari Sayeeda
Korwar, Shri Gundappa
Krishnan, Shri G. Y.
Lather, Shri Mohinder Singh
Lenka, Shri Kahnu Charan
Madhavan, Shri S.
Mahajan, Shri Pramod
Mahendra Prasad, Shri
Maheshwar Singh, Shri
Maheshwari, Shrimati Sarala
Majumdar, Shri Sudhir Ranjan
Malaviya, Shri Radhakishan
Malaviya, Shri Satya Prakash
Manmohan Singh, Shri
Masodkar, Shri Bhaskar Annaji
Matang Singh, Shri
Mathur, Shri Jagdish Prasad
Mazumdar, Shri Tara Charan
Md. Salim, Shri
Meena, Shri Dhuleshwar
Mehta, Shri Chimanbhai
Mishra, Shri Shiv Pratap
Mohammad Yunus, Shri
Mohanty, Shri Sarada
Morarka, Shri Kamal
Narayanasamy, Shri V.
Natarajan, Shrimati Jayanthi
Padmanabham, Shri Mentay
Palaniyandi, Shri M.

Pande, Shri Bishambhar Nath
Pandey, Shrimati Manorama
Pandey, Dr. Ratnakar
Parmar, Shri Rajubhai A.
Patel, Shri Chhotubhai
Patel, Shri Vithalbhai M.
Patil, Shri Vishwasrao Ramrao
Pillai, Shri Thennala Balakrishna
Poddar, Dr. R. K.
Puglia, Shri Naresh
Raghavji, Shri
Rai, Shri Ratna Bahadur
Raja Ramanna, Dr.
Ramachandran, Shri S. K. T.
Rao, Shri Moturu Hanumantha
Rao, Shri V. Hanumantha
Ratan Kumari, Shrimati
Reddy, Dr. Narreddy Thulasi
Reddy, Shri S. Jaipal
Sahu, Shri Rajni Ranjan
Sahu, Shri Santosh Kumar
Salve, Shri N. K. P.
Sanadi, Prof. I. G.
Sanjaya Sinh, Dr.
Sarma, Shrimati Basanti
Satya Bahin, Shrimati
Sen, Shri Ashis
Sharma, Shri Krishan Lal
Shiv Shanker, Shri P.
Siddiqui, Shri Abdal Samad
Singh, Shri Digvijay
Singh, Shri K. N.
Singh, Shrimati Pratibha
Singh, Dr. Rudra Pratap
Singh, Shri Surender
Singh, Shri Vishvjit P.
Singla, Shri Surinder Kumar
Sinha, Shrimati Kamla
Sinha, Shri Yashwant
Solanki, Shri Gopalsinh G.
Solanki, Shri Madhavsinh
Sushma Swaraj, Shrimati
Swaminathan, Shri G.
Swamy, Shri Subramanian
Thakur, Prof. Chandresh P.
Thakur, Shri Rameshwar
Thakur, Shri Surendra Singh
Tiria, Kumari Sushila
Trivedi, Shri Dineshbhai
Tyagi, Shri Shanti
Upendra, Shri P.
Venkataraman, Shri Tindivanam G.
Venod Kumar, Shri
Verma, Shri Ashok Nath
Verma, Shri Kapil
Verma, Shrimati Veena
Viduthalai Virumbi, Shri S.
Vincent, Shri M.
Yadav, Shri Ish Dutt
Yadav, Shri Ram Naresh
Yadava, Shri Bal Ram Singh
Yonggam, Shri Nyodek

NOTE—I

The motion was carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

SHRI K. VIJAYA BHASKARA REDDY: Madam, I move :

That the Bill, as amended by the amendment agreed to, be passed.

THE DEPUTY CHAIRMAN : The question is :

That the Bill, as amended by the amendment agreed to, be passed.

The House divided.

THE DEPUTY CHAIRMAN : Ayes—152

NOES—NIL

AYES—152

Abrar Ahmed, Dr.
Agarwal, Shri Lakkhiram
Agarwal, Shri Ramdas
Ahluwalia, Shri S. S.
Alia, Kumari
Antony, Shri A. K.
Aurora, Sardar Jagjit Singh
Azad, Shri Ghulam Nabi
Baby, Shri M. A.
Bagrodia, Shri Santosh
Bakht, Shri Sikander
Balaram, Shri N. E.
Balbir Singh, Shri
Balu, Shri T. R.
Barongpa, Shri Sushil
Basu Ray, Shri Sunil
Bekal Utsahi, Shri
Bhandare, Shri Murlidhar Chandrakant
Bhardwaj, Shri Hansraj
Bhatia, Shri Madan
Bhatt, Shri Jitendrabhai Labhshanker
Birla, Shri Krishna Kumar
Buragohain, Shri Bhadreswar
Chanpuria, Shri Shivprasad
Chavan, Shri S. B.
Chowdhary Ram Sewak
Chowdhri, Shri A. S.
Chowdhry Hari Singh
Das Gupta, Shri Gurudas
Dave, Shri Anantray Devshanker
Desai, Shri Jagesh
Dhawan, Shri R. K.
Dronamraju, Shri Satyanarayana
Faguni Ram, Dr.
Fernandes, Shri John F.
Gandhi, Shri Raj Mohan
Ganesan, Shri Misa R.
Gautam, Shri, Sangh Priya
Ghosh, Shri Dipen
Ghufran Azam, Shri
Gurupadaswamy, Shri M. S.
Hanspal, Shri Harvendra Singh
Hanumanthappa, Shri H.
Hariprasad, Shri B. K.
Hashim, Shri M. M.
Hashmi, Shri Shamim
Hiphei, Shri
Iqbal Singh, Shri
Jacob, Shri M. M.
Jadhav, Shri Vithalrao Madhavrao
Jagir Singh, Shri
Jagmohan, Shri
Jaiswal, Shri Anant Ram
Jayadevappa, Shri K. R.
Jogi, Shri Ajit P. K.
Kailashpati, Shrimati
Kaldate, Dr. Bapu
Kalita, Shri Bhubaneswar
Kalmadi, Shri Suresh
Kesri, Shri Sitaram
Khatun, Kumari Sayeeda
Kiruttinan, Shri Pasumpon Tha.
Korwar, Shri Gundappa
Krishnan, Shri G. Y.
Lather, Shri Mohinder Singh
Lenka, Shri Kahnu Charan
Madhavan, Shri S.
Mahajan, Shri Pramod
Mahendra Prasad, Shri
Maheshwar Singh, Shri
Maheshwari, Shrimati Sarala
Majumdar, Shri Sudhir Ranjan
Malaviya, Shri Radhakishan
Malaviya, Shri Satya Prakash
Manmohan Singh, Shri
Masodkar, Shri Bhaskar Annaji
Matang Singh, Shri
Mathur, Shri Jagdish Prasad
Mazumdar Shri Tara Charan
Md. Salim, Shri
Meena, Shri Dhuleshwar

Mehta, Shri Chimanbhai
Mishra, Shri Shiv Pratap
Mohammad Yunus, Shri
Mohanty, Shri Sarada
Morarka, Shri Kamal
Narayanasamy, Shri V.
Natarajan, Shrimati Jayanthi
Padmanabham, Shri Mentay
Palaniyandi, Shri M.
Pande, Shri Bishambhar Nath
Pandey, Shrimati Manorama
Pandey, Dr. Ratnakar
Parmar, Shri Rajubhai A.
Patel, Shri Chhotubhai
Patel, Shri Vithalbhai M.
Patil, Shri Vishwasrao Ramrao
Pillai, Shri Thennala Balakrishna
Poddar, Dr. R. K.
Puglia, Shri Naresh
Raghavji, Shri
Rai, Shri Ratna Bahadur
Raja Ramanna, Dr.
Ramachandran, Shri S. K. T.
Rao, Shri Moturu Hanumantha
Rao, Shri V. Hanumantha
Ratan Kumari, Shrimati
Reddy, Dr. Narreddy Thulasi
Reddy, Shri S. Jaipal
Sahu, Shri Rajni Ranjan
Sahu, Shri Santosh Kumar
Salve, Shri N. K. P.
Sanadi, Prof. I. G.
Sarma, Shrimati Basanti
Satya Bahin, Shrimati
Sen, Shri Ashis
Sharma, Shri Krishan Lal
Shiv Shanker, Shri P.
Siddiqui, Shri Abdul Samad
Singh, Shri Digvijay
Singh, Shri K. N.
Singh, Shrimati Pratibha
Singh, Dr. Rudra Pratap
Singh, Shri Surender
Singh, Shri Vishvjit P.
Singla, Shri Surinder Kumar
Sinha, Shri Chandra Mohan
Sinha, Shrimati Kamla
Sinha, Shri Yashwant
Solanki, Shri Gopalsinh G.
Solanki, Shri Madhavsinh
Sushma Swaraj, Shrimati
Swaminathan, Shri G.
Swamy, Shri Subramanian
Thakur, Prof. Chandresh P.
Thakur, Shri Rameshwar
Thakur, Shri Surendra Singh
Tiria, Kumari Sushila
Trivedi, Shri Dineshbhai
Tyagi, Shri Shanti
Upendra, Shri P.
Venkataraman, Shri Tindivanam G.
Venod Kumar, Shri
Verma, Shri Ashok Nath
Verma, Shri Kapil
Verma, Shrimati Veena
Viduthalai Virumbi, Shri S.
Vincent, Shri M.
Yadav, Shri Ish Dutt
Yadav, Shri Ram Naresh
Yadava, Shri Bal Ram Singh
Yonggam, Shri Nyodek

NOES—NIL

The motion was carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

SHRI T. R. BALU (Tamil Nadu): Madam, the freedom of the Press is completely curbed in Tamil Nadu and ....

[Shri T. R. Bela].

(*Interruptions*) ... persons have been arrested unconstitutionally.

SHRI YASHWANT SINHA (Bihar): Madam, I have been permitted by the Chairman to raise an issue.

THE DEPUTY CHAIRMAN: Just a minute. In the case of Bihar also, I did not permit. (*Interruptions*). Please take your seat. I am not permitting. (*Interruptions*).

SHRI T. R. BALU :*

SHRI S. VIDUTHALAI VIRUMBI :*

SHRI M. VINCENT :*

THE DEPUTY CHAIRMAN : This will not go on record. (*Interruptions*). It is not going on record. (*Interruptions*). Leave it to me. I cannot permit it. (*Interruptions*) Nothing is being recorded. Let me handle it. I cannot permit it. The action of the Speaker of an Assembly will not be discussed over here. I am not permitting it. I don't permit even Bihar. Please sit down. (*Interruptions*).

SHRI M. VINCENT :*

SHRI T. R. BALU :*

THE DEPUTY CHAIRMAN : Go back to your seat. It is not going on record. (*Interruptions*). Please keep quiet. Let me handle it. (*Interruptions*). I said, any action of the Speaker of a State Legislature will not be allowed to be discussed over here. I am not going to allow it and that is all about it. (*Interruptions*).

SHRI T. R. BALU *

SHRI M. VINCENT :*

THE DEPUTY CHAIRMAN : Just imagine the condition of the Speaker. Will you please keep quiet and go back to your seat ? (*Interruptions*) I said, you can very well imagine the condition of the Speaker from the way you behave. You come into the well of the House and speak like a Speaker. I don't like it. (*Interruptions*) Now, I call Mr. Yashwant Sinha. (*Interruptions*). I said, I will not hear because it is a matter of a Speaker. That is all (*Interruptions*).

SHRI MENTAY PADMANABHAM (Andhra Pradesh) : Madam, all the Members are agitated. (*Interruptions*). You just give them a chance. Kindly give them a chance. (*Interruptions*). They are all agitated. (*Interruptions*).

THE DEPUTY CHAIRMAN : Mr. Vincent, please sit down. Please sit down .... (*Interruptions*) .... Vincent, please sit down. Please take your seat .... (*Interruption*) .... Take your seat. .... (*Interruptions*) .... Members are agitated, that is not my concern because it can't be allowed .... (*Interruptions*) .... I will not allow it.

(*Interruptions*)

SHRI TINDVANAM G. VENKATRAMAN :*

SHRI S. VIDHUTHALAI VIRUMBI :*

SHRI M. VINCENT :*

SHRI J. S. RAJU :*

SHRI MENTAY PADMANABHAM : Madam, you kindly hear them. You give them a chance .... (*Interruptions*) ....

THE DEPUTY CHAIRMAN : Nothing is going on record. Anybody speaking without permission is not going on record. Only Mr. Yashwant Sinha is being identified. Mr. Yashwant Sinha, please speak.

SPECIAL MENTION

Black Listing of ISRO by USA

SHRI YASHWANT SINHA (Bihar) : Madam Deputy Chairman, this country has faced many vicissitudes in its independent history, but I think the situation that we are facing today is unique because I don't recall any other occasion, including the

*Not recorded.